

REMARKS

Claims 1 and 8 were amended to further clarify the distinctive features of the claimed embodiments. Claims 1, 4-8, and 10-13 are pending after entry of the present Amendment.

Rejections under 35 U.S.C. § 102(b):

Claims 1, 4-8, and 10-13 were rejected under 35 U.S.C. § 102(b), as being anticipated by Ma et al. (U.S. Patent 5,920,725), hereinafter "Ma". This rejection is respectfully traversed.

Ma discloses a distributed application with an adaptor 80 for updating objects cataloged by a meta server 70. Meta server 70 receives change requests from a runtime update tool 76 and modifies object class definitions. *See col. 7, lines 60-66, col. 8, lines 1-6, and Figure 3.* The update tool 76 provides a way for a user to inject an update. As noted by Ma, the update is made using a notification process. These updates are not related to specific services, and the updates are made without control of a control module.

First, specific objects are updated in the repository 62. Then, notifications are made to the server application 86, where objects are updated. Finally, the notification is made to the client 88, where the objects can be updates. Ma describes this to be a "propagation" of the changes in an outward direction. *See Col. 8, lines 20-34.* Consequently, there is no control module or similar module that functionally supervises the life cycle of a service module.

In fact, the changes made to the application are disjointedly made to separate components (e.g., repository 62, server 86 and client 88). Control of a change is managed, not by a control module that is upgraded, but by a person that interfaces with the client 92.

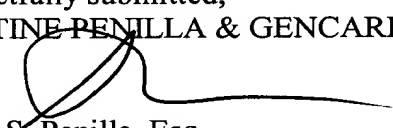
Further, the claims have been amended to claim that the execution of the application is on a server without remote client execution. The teachings of Ma are directed to a distributed

system, which executes objects both on the server side and the client side. For this reason, Ma teaches the propagated upgrade procedure. The updated control module and service module are updated on the server. The claimed invention has also been amended to clarify that the application-specific strategies and policies for the application are maintained during execution of the application.

For at least the reasons noted herein, the Applicants respectfully submit that the now claimed invention is patentable over the cited art. A Notice of Allowance is respectfully requested.

If the Examiner has any questions concerning the present Amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6903. If any other fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP003). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP



Albert S. Penilla, Esq.
Reg. No. 39,487

710 Lakeway Drive, Suite 200
Sunnyvale, CA 94085
Telephone: (408) 749-6900
Facsimile: (408) 749-6901
Customer No. 32291